

Entered - 3-28-05 sb
CL 05L0248 - GWENDOLYN BURNS

05- R -1019

CLAIM OF: **MARVIN BARBER**
3147 Panthers Trace
Decatur, Georgia 30034

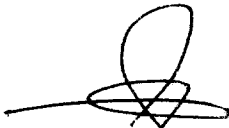
ADOPTED BY
JUN 20 2005
COUNCIL

For vehicular damages allegedly sustained from driving over a sanitary sewer construction site that was left open and in an unsafe condition on March 13, 2005 at 12th Street & Crescent Street.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **MARVIN BARBER** the sum of **\$2,889.10** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages allegedly sustained from driving over a sanitary sewer construction site that was left open and in an unsafe condition on March 13, 2005 at 12th Street & Crescent Street as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/Q30001**.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 6/14/05

CHAIR: Chela Wilson

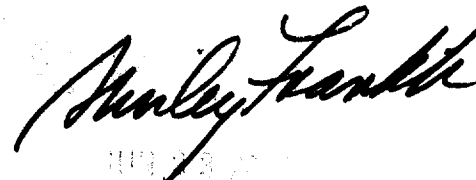
C. T. Martin

Spoke on - Skerrett

Paul Sims

Maya Gonzalez

Carla Smith





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

05-R-1019

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Marvin Barber** in the sum of **\$2,889.10** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from driving over a sanitary sewer construction site that was left open and in an unsafe condition on March 13, 2005 at 12th Street & Crescent Street** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/Q30001 Settlement of Suits and Claims, Department of Law.

A true copy,

Charde Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

June 20, 2005
June 23, 2005

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 05L0248

Date: June 2, 2005

Claimant /Victim MARVIN R. BARBER
BY: (Atty) (Ins. Co.) _____
Address: 3147 Panthers Trace, Atlanta, Georgia 30034
Subrogation: _____ Claim for Property damage \$ 2,889.10 Bodily Injury \$ _____
Date of Notice: 3/21/05 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/13/05 Place: 12th & Crescent Street, NE
Department WATERSHED MANAGEMENT Bureau: Wastewater Treatment & Collections
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained vehicular damage when he drove of a sanitary sewer construction site that was left open and in an unsafe manner.

INVESTIGATION:

Statements: City employee X Claimant X Others _____ Written _____ Oral X
Pictures X Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

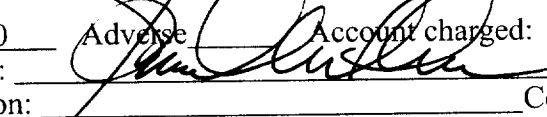
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,889.10 Adverse _____ Account charged: 1A01 _____ 2J01 X 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 06/02/2005
Committee Action: _____ Council Action _____

RCS# 6751
6/20/05
3:36 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 4-21 05-R-1086 05-R-1084
 05-O-0972 05-R-1093 05-O-0906 05-R-0905
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		6/20/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-1075	31. 05-R-1069	55. 05-R-1023
2. 05-O-1076	32. 05-R-1072	56. 05-R-1024
3. 05-O-1078	33. 05-R-0903	57. 05-R-1025
4. 05-O-1101	34. 05-R-1062	58. 05-R-1026
5. 05-O-1102	35. 05-R-1063	59. 05-R-1027
6. 05-O-1103	36. 05-R-1064	60. 05-R-1028
7. 05-O-1089	37. 05-R-1054	61. 05-R-1029
8. 05-O-1099	38. 05-R-1055	62. 05-R-1030
9. 05-O-0904	39. 05-R-1056	63. 05-R-1031
10. 05-O-0910	40. 05-R-1057	64. 05-R-1032
11. 05-O-0911	41. 05-R-1073	65. 05-R-1033
12. 05-O-0912	42. 05-R-1074	66. 05-R-1034
13. 05-O-0916	43. 05-R-1108	67. 05-R-1035
14. 05-O-0968	44. 05-R-1116	68. 05-R-1036
15. 05-O-0976	45. 05-R-1117	69. 05-R-1037
16. 05-O-1080	46. 05-R-0819	70. 05-R-1038
17. 05-O-0981	47. 05-R-1043	71. 05-R-1039
18. 05-O-0982	48. 05-R-1044	72. 05-R-1040
19. 05-O-1085	49. 05-R-1047	73. 05-R-1041
20. 05-O-1104	50. 05-R-1049	74. 05-R-1042
21. 05-O-1105	51. 05-R-1019	
22. 05-O-1106	52. 05-R-1020	
23. 05-O-0960	53. 05-R-1021	
24. 05-O-0961	54. 05-R-1022	
25. 05-R-1060		
26. 05-R-1061		
27. 05-R-1077		
28. 05-R-1098		
29. 05-R-1067		
30. 05-R-1068		